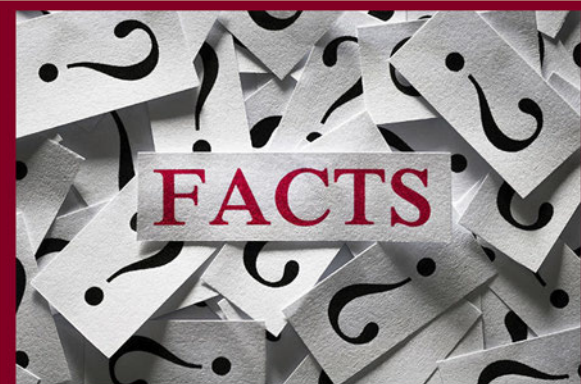




DIVISION OF INSPECTOR GENERAL
Ken Burke, CPA
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Pinellas County, Florida



FOLLOW-UP INVESTIGATION OF DRIVER LICENSE SUSPENSION PAYMENTS



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July 30, 2021

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The Division of Inspector General has conducted a Follow-Up Investigation of Driver License Suspension Payments. The objective of our review was to determine the implementation status of our previous recommendations. We obtained the investigative purpose, background information, findings, and recommendations from the original investigative report. We added the status of recommendation implementation to this follow-up investigative report.

Of the 13 recommendations contained in the original investigative report, we determined that 2 have been implemented, 10 have been partially implemented, and 1 has not been implemented. The status of each recommendation is presented in this follow-up report.

We appreciate the cooperation shown by the staff of the Criminal Court Customer Service Department during the course of this review.

Respectfully Submitted,

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INTRODUCTION

Scope and Methodology

We conducted an investigative follow-up of Driver License Suspension Payments. The purpose of our follow-up review was to determine the status of previous recommendations for improvement.

The purpose of the original investigation was to determine if:

1. Clerk's staff were clearing driver license (DL) suspensions for traffic citations upon only partial fine payments.
2. Citizens and law enforcement officers have been recording excess miles for witness fee reimbursement.
3. A credit card ring of women were using fraudulent credit cards to satisfy citizens' fines and costs.
4. Citizens were falsifying community service documents.

Allegation Nos. 2 through 4 were not reviewed as part of the original investigation. Allegation No. 2 was designated as a potential future audit. Allegation No. 3 was being investigated by the Pinellas County Sheriff's Office and, therefore, a duplication of effort was avoided. We did not find evidence during our investigation that a Clerk employee was involved. For Allegation No. 4, the Clerk has a limited role for verification of community service documentation. The Clerk's role entails accepting community service documentation and reviewing the documentation to ensure compliance with standards set forth by the Court. These standards include the documentation must be on letterhead and state the number of community service hours worked. The Clerk's staff alerts the Court of any community service documentation inaccuracies and/or red flags noted during their review. However, the Clerk is not responsible to verify if community service hours were actually worked.

To determine the current status of our previous recommendations, we surveyed and/or interviewed management to determine the actual actions taken to implement recommendations for improvement. We performed limited testing to verify the implementation of the recommendations for improvement.

Our investigative follow-up was conducted in accordance with the *Principles and Standards for Offices of Inspector General* and *The Florida Inspectors General Standards Manual* from The Commission for Florida Law Enforcement Accreditation and, accordingly, included such tests of records and other investigative procedures, as we considered necessary in the circumstances. Our follow-up testing was performed during the months of May through July 2021. The original investigative period was October 1, 2017, through November 30, 2019. However, transactions and processes reviewed were not limited by the investigative period.

Overall Conclusion

Of the 13 recommendations in the original report, we determined that 2 were implemented, 10 were partially implemented, and 1 was not implemented. We commend management for implementation of some recommendations and encourage management to continue implementing the remaining recommendations.

Implementation Status Table

FINDING NO.	PREVIOUS RECOMMENDATION	IMPLEMENTATION STATUS				
		Implemented	Acceptable Alternative	Partially Implemented	Not Implemented	No Longer Applicable
1	<i>Internal Controls For D6 Clearances Are Inadequate.</i>					
A	Perform a reconciliation or implement an alternate review process for all D6 clearances in CCIS and Odyssey to ensure checklist steps are performed properly.			✓		
B	Collaborate with Civitek Technical Service Center staff to enhance reporting functionality of D6 clearances to support an efficient reconciliation between CCIS and Odyssey.			✓		
2	<i>Use Of The D6 Clearance Checklist Is Not A Standardized Procedure.</i>					
A	Revise written policies and procedures to require all staff to complete the checklist, including those who process D6 error corrections, or implement an alternate standardized process for D6 clearances.	✓				
B	Assign a supervisor or designated employee to review completed checklists as part of the overall reconciliation or alternate review process for designated staff at all branch locations.			✓		
C	Revise the checklist to include steps for documenting the payment method, justification, and correction of a D6 error.			✓		
3	<i>Some D6 Clearances Completed By Staff Were Not Justified.</i>					
A	Perform a reconciliation or implement an alternate review process to ensure all D6 clearances are in compliance with F.S.			✓		
B	Review sample records designated as partial payment and unexplained clearances to determine if corrections are needed.	✓				

FINDING NO.	PREVIOUS RECOMMENDATION	IMPLEMENTATION STATUS				
		Implemented	Acceptable Alternative	Partially Implemented	Not Implemented	No Longer Applicable
4	<i>D6 Clearances Have Not Been Performed Timely For Numerous Cases.</i>					
	Perform a reconciliation or implement an alternate review process to ensure all D6 clearances are performed timely.			✓		
5	<i>The D6 Clearance Event Code Is Not Input Consistently And Accurately.</i>					
A	Perform a reconciliation or implement an alternate review process to ensure the D6 clearance event code and corresponding CCIS transaction ID number are input into Odyssey.			✓		
B	Add an additional step to the "D6 CLEARANCE CHECKLIST - TRAFFIC CASES" checklist to require all designated staff to input the "RFPD" event code and corresponding CCIS transaction ID number for DL reinstatements.				✓	
6	<i>Numerous Driver License Numbers Did Not Match Between Odyssey And CCIS.</i>					
A	Review internal validation processes to ensure DL information errors are detected.			✓		
B	Review the Traffic Section validation edits process to ensure all edits are completed accurately.			✓		
C	Collaborate with Civitek and the DHSMV to determine why some DL number errors were not included in the validation process.			✓		

Background

The Clerk's Traffic Section in the Criminal Court Records Department and the Florida Courts, with the support of a traffic application, process traffic citations in compliance with Florida Statutes and internal procedures. Non-compliance with citation requirements results in Court action, fines and fees assessed, and possible DL suspension, referred to as a D6 suspension in the Florida Courts.

Section 318.15 of the Florida Statutes (F.S.) discusses the penalty for failure to comply with a civil penalty or to appear:

“(1) (a) If a person fails to comply with the civil penalties provided in s.318.18 within the time period specified in s.318.14(4), fails to enter into or comply with the terms of a penalty payment plan with the clerk of the court in accordance with ss.318.14 and 28.246, fails to attend driver improvement school, or fails to appear at a scheduled hearing, the clerk of the court shall notify the Department of Highway Safety and Motor Vehicles of such failure within 10 days after such failure. Upon receipt of such notice, the department shall immediately issue an order suspending the driver license and privilege to drive of such person effective 20 days after the date the order of suspension is mailed in accordance with s.322.251(1), (2), and (6).”

Subsequent to a DL suspension, one of the following requirements must be met for the D6 suspension clearance (D6 clearance) to be processed by designated Clerk's staff:

- Full payment of the fine and applicable fees
- Payment plan agreement with payment of applicable fees
- Court motion with payment of applicable fees
- Court dismissal
- Court order reversal of D6 suspension (Void D6)
- Abatement of action
- Proof of compliance for DL, registration, or insurance violations with payment of applicable fees
- Written plea of not guilty with payment of applicable fees

The requirements listed above are governed by the F.S. All D6 clearances for cases are processed manually by Clerk's staff in CCIS. If all requirements are met and the citizen is eligible, a reinstatement fee is collected and the DL is reinstated by Clerk's staff in CCIS.

A suspended DL can adversely impact a citizen in several ways. F.S. 318.15 (1)(a) states:

“Any such suspension of the driving privilege which has not been reinstated, including a similar suspension imposed outside Florida, shall remain on the

records of the department for a period of 7 years from the date imposed and shall be removed from the records after the expiration of 7 years from the date it is imposed. The department may not accept the resubmission of such suspension."

F.S. 318.15 (3) states:

"The clerk shall notify the department of persons who were mailed a notice of violation of s.316.074(1) or s.316.075(1)(c)1. pursuant to s.316.0083 and who failed to enter into, or comply with the terms of, a penalty payment plan, or order with the clerk to the local hearing officer or failed to appear at a scheduled hearing within 10 days after such failure, and shall reference the person's driver license number, or in the case of a business entity, vehicle registration number.

(a) Upon receipt of such notice, the department, or authorized agent thereof, may not issue a license plate or revalidation sticker for any motor vehicle owned or co-owned by that person pursuant to s.320.03(8) until the amounts assessed have been fully paid.

(b) After the issuance of the person's license plate or revalidation sticker is withheld pursuant to paragraph (a), the person may challenge the withholding of the license plate or revalidation sticker only on the basis that the outstanding fines and civil penalties have been paid pursuant to s.320.03(8)."

Citizens driving with a suspended license are subject to the penalties governed by F.S. 322.34, "Driving while license suspended, revoked, canceled, or disqualified," which states:

"(1) Except as provided in subsection (2), any person whose driver license or driving privilege has been canceled, suspended, or revoked, except a "habitual traffic offender" as defined in s.322.264, who drives a vehicle upon the highways of this state while such license or privilege is canceled, suspended, or revoked is guilty of a moving violation, punishable as provided in chapter 318.

(2) Any person whose driver license or driving privilege has been canceled, suspended, or revoked as provided by law, or who does not have a driver license or driving privilege but is under suspension or revocation equivalent status as defined in s.322.01(41), except persons defined in s.322.264, who, knowing of such cancellation, suspension, revocation, or suspension or revocation equivalent status, drives any motor vehicle upon the highways of this state while such license or privilege is canceled, suspended, or revoked, or while under suspension or revocation equivalent status, commits:

(a) A misdemeanor of the second degree, punishable as provided in s.775.082 or s.775.083.

(b)1. A misdemeanor of the first degree, punishable as provided in s.775.082 or s.775.083, upon a second or subsequent conviction, except as provided in paragraph (c).
2. A person convicted of a third or subsequent conviction, except as provided in paragraph (c), must serve a minimum of 10 days in jail."

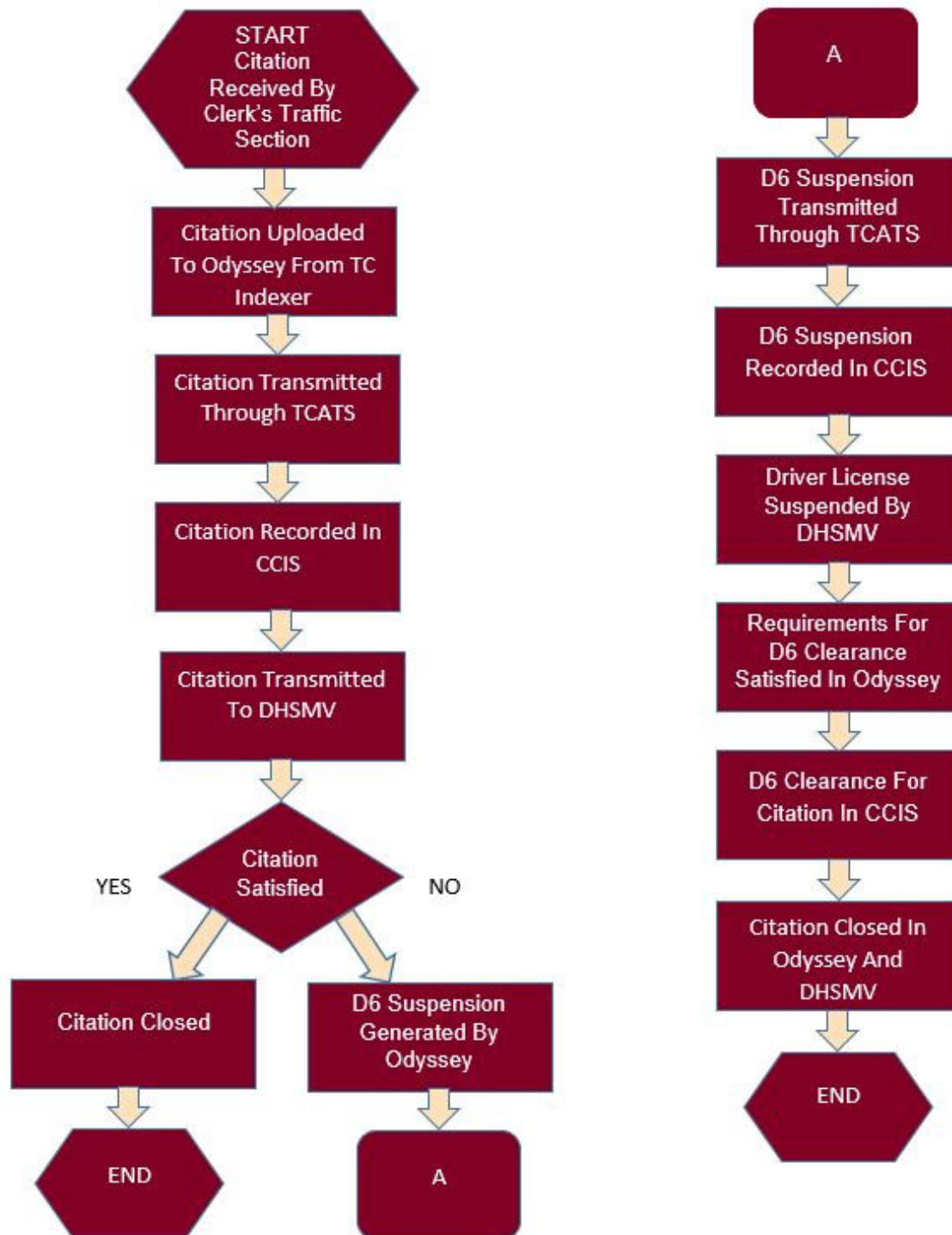
Florida laws govern the responsibilities of the Clerk of the Circuit Court, which include the following:

- Maintaining custody of court records
- Maintaining custody of all related pleadings filed
- Securing evidence entered in court
- Ensuring integrity of court files is protected
- Collecting and disbursing court fines and assessments

The Clerk's Traffic Section receives traffic citations daily from Pinellas County law enforcement agencies. The Traffic Section staff upload each traffic citation separately into Odyssey from the TC Indexer (indexing system). The citations are then transmitted from Odyssey in a uniform format to the Florida Department of Highway Safety and Motor Vehicles (DHSMV) using the Florida Association of Court Clerks Traffic Citation Accounting Transmission System (TCATS). The citation information is also uploaded in the CCIS internet portal. The CCIS is a statewide court case data and records application used to record all Florida counties' transactions sent to the DHSMV using TCATS, including D6 suspensions.

The following flowchart illustrates the traffic citation process. Subsequent events to the D6 clearance, such as non-completion of elected driving school, will initiate the D6 suspension process again as displayed in "A" of the flowchart.

Traffic Citation Flow Chart



We determined that Allegation No.1 was substantiated based on our review of sample records. However, based on our sample, we did not find evidence of fraudulent intent by Clerk's staff performing DL suspension clearances. Our review of sample records indicated that clearances have not been completed properly by Clerk's staff mostly due to lack of internal controls and staff not following procedures.

The original IG investigation concluded the following (refer to the Scope and Methodology section for an explanation of the allegations that were not reviewed):

Allegation	Conclusion
Allegation #1 - Clerk's staff were clearing driver license (DL) suspensions for traffic citations upon only partial fine payments.	Substantiated
Allegation #2 - Citizens and law enforcement officers may have been recording excess miles for witness fee reimbursement.	Not reviewed as part of this investigation
Allegation #3 - A credit card ring of women were using fraudulent credit cards to satisfy citizens' fines and costs.	Not reviewed as part of this investigation
Allegation #4 - Citizens were falsifying community service documents.	Not reviewed as part of this investigation

STATUS OF RECOMMENDATIONS

This section reports our investigative follow-up on actions taken by management on the recommendations for improvement in our original investigative report of the Driver License Suspension Payments. The recommendations contained herein are those of the original investigative report, followed by the current status of the recommendations.

1. Internal Controls For D6 Clearances Are Inadequate.

Our review of the DL suspension clearance process indicated there are no controls to detect errors or irregularities. The current process requires staff to process payments for traffic fines and costs in Odyssey, and if requirements are met, perform a D6 clearance in the CCIS. Subsequent to performing the D6 clearance, staff are required to update Odyssey (case record system) docketing that the D6 suspension was satisfied. See Investigative Finding No. 5 for further discussion.

After the D6 clearance has been completed, there is no independent review of the required docket entries or reconciliation performed between the CCIS and Odyssey to ensure accuracy.

We reviewed a sample of D6 clearances for the time period of October 1, 2017, through June 30, 2018. During our review, we noted numerous discrepancies between Odyssey and the CCIS. The discrepancies found during our sample review were related to:

- Unjustified D6 clearances
- Untimely D6 clearances
- DL mismatches between Odyssey and the CCIS
- Non-compliance with internal procedures for Odyssey event code input
- Could not determine due to lack of proper event codes and/or information in Odyssey

These discrepancies are discussed in further detail in Investigative Findings Nos. 2 through 6. The table below displays the total records for each discrepancy type in our sample.

Discrepancy Type	Total No. of Records
Unjustified D6 Clearances	27
Untimely D6 Clearances	176
DL Mismatches	581
D6 Event Code Not Input	177
Could Not Determine	72
Total	1,033

A daily reconciliation between Odyssey and the CCIS, or alternate review process, would detect discrepancies such as those found in the sample, allowing management to identify and investigate differences, and take immediate corrective action.

To perform the sample testing, we collaborated with the Clerk's Information Technology Department (Clerk's IT) to obtain a custom Odyssey report to join data with the CCIS D6 Transaction Report. The CCIS D6 Transaction Report displays all D6 clearances performed during a selected timeframe and includes the following information:

- Transaction ID
- Time Stamp
- County
- User (person performing D6 clearance)
- Citizen's DL number

The customized Odyssey report developed by Clerk's IT includes Odyssey transactions for a selected timeframe, which define the criteria necessary to trigger a D6 clearance. The Odyssey report displayed the following information:

- Case Number
- Case Type
- Citizen's Name
- Citizen's DL number
- Schedule Amount (delinquent and late fees paid)
- Fiscal Records Specialist's (FRS) Name (who performed the transaction)
- Transaction Type (payment type and/or Odyssey financial adjustment)
- Total Fine and Fees Balance
- Payment Plan Agreement (yes or no)

The DL number is the only common field to join data between the Odyssey report and the CCIS D6 Transaction Report. The CCIS D6 Transaction Report does not list the case number for which the D6 clearance was performed. Many citizens have multiple cases; therefore, the "TRANSACTION ID" link provided on the D6 Transaction Report must be accessed in CCIS to determine which case was cleared.

All out-of-state DL numbers were extracted prior to joining data between the two reports, as Clerk's staff do not perform D6 clearances for citizens with out-of-state DLs. We used data analytics software to join the records on the CCIS D6 Transaction Report and Odyssey report for each month in our sample to determine what transactions (D6 clearances) existed in the CCIS with no corresponding transactions in Odyssey. We investigated all resulting records in the CCIS and Odyssey to determine why a discrepancy existed. During our sample review, we found many of the discrepancies were due to different DL numbers for the same case. See Investigative Finding No. 6 for further discussion.

Internal control best practices require a review of processes, transactions, and reports for accuracy, completeness, and timeliness. Review and approval helps to reduce errors, irregularities, and inaccurate or incomplete information in accounts and reports.

The "D6 CLEARANCE CHECKLIST - TRAFFIC CASES" document (checklist) requires staff to complete various steps for clearing a DL suspension in Odyssey and the CCIS. The checklist states that staff:

"CIRCLE ALL STEPS COMPLETED AND KEEP WITH YOUR WORK FOR THE CASE."

Management has not implemented adequate internal controls to ensure D6 clearances are performed properly. The CCIS is a web based program and can be accessed anywhere for those who have authorization. Reconciling daily D6 clearances completed for Odyssey cases to the CCIS provides assurance that staff performed D6 clearances properly. All transactions on the CCIS D6 Transaction Report should be reviewed to ensure staff did not perform a D6 clearance that was not justified. Without adequate internal controls over the D6 clearance process, the inability to detect irregularities and/or errors can result in:

- Untimely D6 clearances resulting in adverse legal consequences
- Inaccurate or incomplete case information in Odyssey and the CCIS
- Reduced credibility of Clerk's staff
- Misuse of the system such as performing D6 clearances that are not justified

Management should collaborate with Civitek (CCIS technical support) to enhance reporting functionality, such as including a case number field on the CCIS D6 Transaction Report and the ability to run the report by FRS name. Including the case number field and FRS name will enable the D6 clearance review process between Odyssey and the CCIS to become more effective and efficient.

We Recommended Management:

- A. Perform a reconciliation or implement an alternate review process for all D6 clearances in CCIS and Odyssey to ensure checklist steps are performed properly.
- B. Collaborate with Civitek Technical Service Center staff to enhance reporting functionality of D6 clearances to support an efficient reconciliation between CCIS and Odyssey.

Status:

- A. **Partially Implemented.** Management implemented a quality control process for staff review of D6 clearances; however, there is no independent verification that all D6 clearances were performed properly. The supervisor or designated employee periodically reviews each FRS transaction for quality assurance and training purposes, but this review does not include a confirmation of D6 clearances. We encourage management to

continue to collaborate with Clerk's Technology, as noted in recommendation B, to enhance the D6 reconciliation process so an efficient independent review of D6 clearances can be instituted. Without an independent reconciliation, the risk remains that irregularities and/or errors could result in:

- Untimely D6 clearances resulting in adverse legal consequences
- Inaccurate or incomplete case information in Odyssey and the CCIS
- Reduced credibility of Clerk's staff
- Misuse of the system such as performing D6 clearances that are not justified

B. **Partially Implemented.** Management has collaborated with Clerk's Technology to enhance reporting functionality for D6 clearances; however, the item is pending. We encourage management to continue collaboration with Clerk's Technology and Civitek to enhance the D6 clearance reporting functionality. Without full implementation, there remains an ongoing risk that improper and unjustified D6 clearances will not be detected.

2. Use Of The D6 Clearance Checklist Is Not A Standardized Procedure.

The checklist was developed by management to guide staff through the D6 clearance process to ensure all steps were completed properly. However, the checklist is not consistently utilized by all staff when D6 clearances are performed. Clerk's management at the Criminal Customer Service Department, Clearwater Courthouse (Probate Department), and St. Petersburg and North County Branch Office locations, stated the checklist is not required to be completed by staff. The checklist is primarily used as a tool for employees new to performing D6 clearances.

A few employees in the Criminal Court Records Department are designated to perform D6 clearances for errors which are not related to processing a D6 clearance for satisfaction of a traffic case. However, all D6 clearances, including error corrections, should be documented to ensure the process was proper.

The Criminal Customer Service Department staff processing online traffic case payments use the checklist on a consistent basis to ensure the D6 clearance process is complete. Staff file the checklist with the supporting documents after the D6 clearance has been completed. However, the checklists are not subsequently reviewed by the supervisor or another employee to verify the D6 clearances were completed properly in Odyssey and the CCIS. See Investigative Finding No.1 for further discussion.

Payment options for traffic citations include the following:

- Payment in person at the Clerk's branch locations
- Online
- Drop box

- Mail
- Phone
- Collection agency (past due payments)
- Amscot locations (payment in person)

Due to the numerous discrepancies found during our sample review of D6 clearances, Clerk's management should require the checklist to be completed by all designated staff or an alternate process should be implemented to ensure D6 clearances are completed accurately and timely. Some of the discrepancies found during our review were related to steps on the checklist which were not performed by staff, such as input of the D6 clearance event code into Odyssey and untimely D6 clearances in CCIS. See Investigative Findings Nos. 4 and 5 for further discussion.

The checklist is currently the only backup documentation staff have in the event future problems arise for a D6 clearance. The checklist should be included and reviewed as part of the overall reconciliation process for all designated staff in the Criminal Customer Service Department, Clearwater Courthouse (Probate Department), and St. Petersburg and North County Branch Office locations.

The checklist does not include steps for documenting the payment method (see payment options list above), justification (requirements met), or if the D6 clearance was performed to correct an error. If eligible, a D6 clearance should be completed immediately by Clerk's staff for citizens paying in person or by phone. D6 clearances for other payment methods are typically processed the next business day or when received by the Compliance Section at the Pinellas County Justice Center (PCJC). Adding these steps to the checklist would assist with determining if the D6 clearance was performed timely based on the payment method and that requirements were met to justify the D6 clearance. In addition, a step added to correct errors provides a trail of transactions completed in the CCIS to assist with reconciling D6 clearances performed by staff.

Written procedures provide guidance that is necessary to properly and consistently carry out departmental activities at a required level of quality. The establishment of procedures provides the opportunity for management to ensure that adequate processes and internal controls have been established. The development of procedures also supports the cross-training and backup for key staff functions. It is management's responsibility to establish written internal procedures covering key department processes. The procedures should be in sufficient detail to provide standard performance criteria and reduce the risk of misunderstanding and/or unauthorized deviations that could cause processing errors.

Management does not require all to staff to complete the checklist, which contains procedural steps to ensure D6 clearances are performed properly. Without standardized procedures, there is inconsistency in job performance. D6 clearances may not be performed accurately and/or timely, potentially resulting in citizens ticketed or arrested for driving with a suspended DL and/or non-issuance of a license plate or validation sticker. Furthermore, improper clearance of DLs negatively impacts the Clerk's credibility.

As of June 2019, management required that all designated staff use the checklist for the D6 clearance process.

We Recommended Management:

- A. Revise written policies and procedures to require all staff to complete the checklist, including those who process D6 error corrections, or implement an alternate standardized process for D6 clearances.
- B. Assign a supervisor or designated employee to review completed checklists as part of the overall reconciliation or alternate review process for designated staff at all branch locations.
- C. Revise the checklist to include steps for documenting the payment method, justification, and correction of a D6 error.

Status:

- A. **Implemented.** Management updated its D6 Clearance Checklist Procedures, which now require the D6 checklist be used for all D6 clearances. In addition, the FRSs are required to add the D6 checklist to the documents tab in Odyssey. Additionally, management provided the D6 Clearance Checklist Correction - Supervisor's Procedures that dictate how D6 corrections are to be processed.
- B. **Partially Implemented.** As stated by management in its management status response, the D6 checklists are reviewed periodically by the supervisor or designated staff. However, reviewing periodically does not ensure that all D6 clearances were performed timely and accurately. We sampled D6 clearances for the time period of May 1, 2021, through May 15, 2021, to determine if the completed D6 checklist was added to the documents tab in Odyssey. As a result, we determined 6 of 10, or 60%, of D6 Clearance Checklists were not uploaded to the Odyssey documents tab. Without a consistent supervisor or independent review of all D6 clearances, there is inconsistency in job performance. The risk remains that D6 clearances may not be performed accurately and/or timely, potentially resulting in citizens ticketed or arrested for driving with a suspended DL and/or non-issuance of a license plate or validation sticker. Furthermore, improper clearance of DLs negatively impacts the Clerk's credibility. We continue to encourage management to assign a supervisor or designated employee to review each completed checklist as part of the overall reconciliation to ensure all D6 clearances are properly documented.
- C. **Partially Implemented.** We reviewed the D6 Clearance Checklist received from management and determined it did not include the additional steps as recommended. However, management added some additional steps to the D6 Clearance Checklist to enhance the D6 clearance process. We commend management for enhancing the checklist, which now requires the FRS to print and attach the CCIS screen, scan all clearance documents to the Odyssey case, and input the D6 clearance CCIS

confirmation number to the added CLD6 event code. However, the risk remains that, without comprehensive guidance documentation, there is the potential for inconsistency in job performance. D6 clearances may not be performed accurately and/or timely, potentially resulting in citizens being ticketed or arrested for driving with a suspended DL and/or non-issuance of a license plate or validation sticker. Furthermore, improper clearance of DLs negatively impacts the Clerk's credibility. We continue to encourage management to implement the recommended steps to the D6 Clearance Checklist to fully enhance the process.

3. Some D6 Clearances Completed By Staff Were Not Justified.

Our review of sample D6 clearance records, for the period of October 2017 through June 2018, indicated there were D6 clearances performed by staff when the legal requirements were not met. Clerk's staff performed D6 clearances that were not justified, which included cases cleared upon only partial fine payments or without any explanation. We discussed a few examples from the sample with management. Management stated that some of the D6 clearances may have been performed on the wrong case in the CCIS (some citizens have more than one case with a D6 suspension) by new employees, or an employee inadvertently selected the wrong case. Management confirmed that for at least two cases, a D6 clearance was performed by an FRS without justification. Both improper D6 clearances were performed by an FRS no longer employed with the Clerk's Office.

The table below displays the number of unjustified D6 clearances in the sample:

Sample Month	Unjustified Clearances	Sample Population*	% of Sample Population
October 2017	3	2,911	0.10%
November 2017	2	2,622	0.08%
December 2017	11	2,427	0.45%
January 2018	2	2,872	0.07%
February 2018	1	3,278	0.06%
March 2018	0	3,301	0.00%
April 2018	4	2,692	0.15%
May 2018	0	2,812	0.00%
June 2018	4	2,699	0.15%
Total	27	25,614	0.11%

*Total number of D6 clearance transactions completed in CCIS for Pinellas County cases.

Per F.S. Chapter 318, "*DISPOSITION OF TRAFFIC INFRACTIONS*," requirements must be met by a citizen to satisfy a traffic citation. The Clerk's policy outlines the requirements as follows:

- Full payment of the fine and applicable fees
- Payment plan agreement with payment of applicable fees
- Court motion with payment of applicable fees
- Court dismissal
- Court order reversal of D6 suspension (Void D6)
- Abatement of action
- Proof of compliance for DL, registration, or insurance violations with payment of applicable fees
- Written plea of not guilty with payment of applicable fees

Management has not implemented a reconciliation process or alternate review process to disclose improper D6 clearances. See Investigative Finding No. 1 for further discussion. The Clerk's Office is potentially in non-compliance with Florida law if D6 clearances are performed without legal justification. Without adequate internal controls over the D6 clearance process, there is limited ability to detect unjustified D6 clearances whether by erroneous performance or fraudulent misuse of the system.

We Recommended Management:

- A. Perform a reconciliation or implement an alternate review process to ensure all D6 clearances are in compliance with F.S.
- B. Review sample records designated as partial payment and unexplained clearances to determine if corrections are needed.

Status:

- A. **Partially Implemented.** According to the follow-up response received from management, the FRS verifies his/her work individually on the next business day. The supervisor or designated employee periodically reviews each FRS transaction for quality assurance and training purposes. The current process entails the FRS printing the "Receipt Journal by Fund and Fee Code" report and adding the D6 clearance documents to the Odyssey documents tab. Despite the improvements made, there is no consistent review of all D6 clearances to ensure they are in compliance with F.S. Without adequate internal controls over the D6 clearance process, the risk remains that unjustified D6 clearances, whether by erroneous performance or fraudulent misuse of the system, will go undetected. We continue to encourage management to perform a reconciliation or implement an alternate review process to ensure all D6 clearances are in compliance with F.S.
- B. **Implemented.** Management confirmed that each sampled record designated as a partial payment or unexplained clearance was reviewed and the applicable corrections were

made. We commend management for its review of the sample records and determination of corrections needed.

4. D6 Clearances Have Not Been Performed Timely For Numerous Cases.

Some D6 clearances were not performed timely for traffic cases paid in full or when other legal requirements were met. We reviewed a sample of D6 clearance records, for the period of October 2017 through June 2018, to determine if D6 clearances were performed properly by staff. If eligible, a D6 clearance should be completed immediately by Clerk's staff for citizens paying in person or by phone. D6 clearances for other payment methods are typically processed the next business day or when received by the Compliance Section at the PCJC.

The table below displays the number of instances when the requirements were met for a D6 clearance, but the D6 clearance was performed in CCIS at a subsequent date:

Sample Month	Untimely Clearances	Sample Population*	% of Sample Population
October 2017	26	2,911	0.89%
November 2017	24	2,622	0.92%
December 2017	15	2,427	0.62%
January 2018	25	2,872	0.87%
February 2018	17	3,278	0.52%
March 2018	27	3,301	0.82%
April 2018	14	2,692	0.52%
May 2018	10	2,812	0.36%
June 2018	18	2,699	0.67%
Total	176	25,614	0.69%

*Total number of D6 clearance transactions completed in CCIS for Pinellas County cases.

An example of an untimely clearance follows:

- The D6 was satisfied (citizen paid in full online) on December 18, 2017
- The "D6 SATISFIED" event code was entered for the case in Odyssey on December 19, 2017
- The D6 clearance was not performed in the CCIS until April 5, 2018
- The CCIS Transaction ID was not entered with the event code on December 19, 2017

Without the CCIS Transaction ID, there is no proof that the D6 clearance was actually performed, which was the circumstance for this case example. See Investigative Finding No. 5 for further discussion.

Our review of the sample indicated that sometimes, but not always, the D6 clearance event code was entered into the Odyssey system after the D6 clearance had been completed. See Investigative Finding No.5 for further discussion. The D6 clearance event code should be input in Odyssey anytime a D6 clearance is performed in CCIS.

Management stated they are unsure how staff are notified of untimely D6 clearances. Management stated most likely citizens are notifying Clerk's staff of an existing DL suspension that should have been cleared for a traffic case. Subsequent to citizen notification, an FRS or other designated employee will perform the D6 clearance in the CCIS system.

Management implemented a disciplinary action policy for non-performance of D6 clearances and has enforced the policy for instances brought to their attention. Currently, adverse actions, such as citizen arrests or other circumstances, will alert Clerk's staff to non-performance of a D6 clearance. However, staff may not always report D6 clearance concerns or complaints made by citizens and, therefore, employees may not be held accountable for non-performance of D6 clearances. Without a reconciliation or alternate review process for required D6 clearances, the policy cannot be fully enforced. A reconciliation or alternate review process of D6 clearances will immediately alert management of instances when the D6 clearance was not performed in the CCIS.

F.S. 318.15, *"Failure to comply with civil penalty or to appear; penalty"* defines the penalties imposed for failure to satisfy a traffic infraction, including suspension of DL and DL reinstatement requirements. Citizens that drive while their license is suspended are subject to the penalties imposed under F.S. 322.34, *"Driving while license suspended, revoked, canceled, or disqualified,"* which include misdemeanor charges and potential jail time.

The Clerk's policies and procedures for D6 clearances include a checklist which lists the various steps necessary to complete the D6 clearance, and if all requirements are met, complete the reinstatement. The checklist step, *"CLEARED IN CCIS"* requires staff to circle either yes or no when requirements have been met to satisfy the D6 suspension.

Management has not implemented a reconciliation or alternative review process to ensure D6 clearances are performed timely. In addition, prior to June 2019, the checklist was not required to be completed by staff. Although the percentage of untimely D6 clearances compared to the sample population was low, just one untimely clearance can create adverse consequences for a citizen and the Clerk's Office.

Without a timely D6 clearance, a citizen can be arrested and/or other adverse actions can result in penalties imposed by F.S. 322.34 and 318.15. These actions will not only negatively impact the citizen but contribute to reduced credibility of Clerk's staff.

We Recommended Management:

Perform a reconciliation or implement an alternate review process to ensure all D6 clearances are performed timely.

Status:

Partially Implemented. There is no current process that ensures all D6 clearances are performed timely. Management has implemented a process that requires a supervisor or designated employee to periodically review D6 clearance transactions. However, there is no consistent review of all D6 clearances to ensure clearances were performed timely. Despite the improvements made, the risk remains that, without a timely D6 clearance, a citizen could be arrested and/or other adverse actions could result in penalties imposed by F.S. 322.34 and 318.15. These actions would not only negatively impact the citizen but contribute to reduced credibility of Clerk's staff. We continue to encourage management to perform a reconciliation or implement an alternate review process to ensure all D6 clearances are performed timely.

5. The D6 Clearance Event Code Is Not Input Consistently And Accurately.

Staff do not input the required D6 clearance event code (CLD6) into Odyssey on a consistent basis. The D6 clearance event code "CLD6" creates a "D6 SATISFIED" docket entry in the Odyssey case history, which indicates the citizen has met the requirements for a D6 clearance in the CCIS. The CCIS provides a transaction identification (ID) number, which is required to be input in Odyssey with the "CLD6" event code.

We reviewed a sample of D6 clearance records, for the time period of October 2017 through June 2018, to test if D6 clearances were performed properly. The table below displays the number of instances in the sample when the D6 clearance event code was not entered into Odyssey:

Sample Month	D6 Clearance Event Code Not Input	Sample Population*	% of Sample Population
October 2017	22	2,911	0.76%
November 2017	21	2,622	0.80%
December 2017	24	2,427	0.99%
January 2018	13	2,872	0.45%
February 2018	33	3,278	1.01%
March 2018	19	3,301	0.58%
April 2018	12	2,692	0.45%
May 2018	24	2,812	0.85%
June 2018	9	2,699	0.33%
Total	177	25,614	0.69%

*Total number of D6 clearance transactions completed in CCIS for Pinellas County cases.

For those cases which did have the D6 clearance event code, we did not track the number of instances when the CCIS transaction ID confirming clearance was not entered; however, a

review of the Odyssey case dockets during our sample review indicated that, in most instances, the CCIS transaction ID number was not input with the event code.

For some sample records, we noted the D6 clearance event code was entered in Odyssey; however, the D6 clearance was not performed in CCIS on the date the event code was entered. See Investigative Finding No. 4 for further discussion. The CCIS transaction ID number is the only verification in Odyssey that the D6 clearance was actually performed in CCIS.

During our review of the sample records in Odyssey case dockets, for some cases we could not determine if the D6 clearance was performed properly due to the lack of D6 event codes as displayed below:

Sample Month	Could Not Determine	Sample Population*	% of Sample Population
October 2017	5	2,911	0.17%
November 2017	6	2,622	0.23%
December 2017	6	2,427	0.25%
January 2018	4	2,872	0.14%
February 2018	11	3,278	0.34%
March 2018	8	3,301	0.24%
April 2018	14	2,692	0.52%
May 2018	12	2,812	0.43%
June 2018	6	2,699	0.22%
Total	72	25,614	0.28%

*Total number of D6 clearance transactions completed in CCIS for Pinellas County cases.

Our sample review indicated there were instances when a DL reinstatement was performed in CCIS subsequent to the date of the D6 clearance. D6 clearances are performed by case (citation), which indicates a citizen has satisfied the legal requirements for the case. Some citizens may have additional cases, which have not been satisfied. A citizen must satisfy all outstanding citations to reinstate their DL (remove DL suspension). If applicable, citizens can pay the \$60 reinstatement fee at the Clerk's Office after all traffic cases have been satisfied. After the reinstatement fee has been paid, staff access the CCIS to perform the reinstatement. The reinstatement is also listed on the CCIS D6 Transaction Report with a transaction ID number.

Management stated there is an event code ("RFPD") for DL reinstatements that can be used for informational purposes in Odyssey; however, this event code is not regularly used or required. Management should add a step to the checklist requiring all staff to input the reinstatement event code and CCIS transaction ID number. For a reconciliation or alternate review process to be effective, all transactions completed in CCIS should have a corresponding event code in Odyssey.

The Clerk's policies and procedures for D6 clearances includes a checklist which lists the various steps necessary to complete the D6 clearance. The checklist requires the FRS to "ADD EVENT CLD6 - AND PUT CONFIRMATION # IN COMMENT."

Prior to June 2019, management did not require staff to complete the checklist when performing D6 clearances. The checklist was previously used as a tool for employees new to the D6 clearance process. Although staff are now required to complete the checklist, there is no reconciliation or alternate review process to ensure the checklist steps are performed as required.

Without the D6 clearance and reinstatement event codes, and CCIS transaction ID number (confirmation number) in Odyssey, there is no assurance that the D6 clearance and reinstatement were performed in the CCIS. Citizens may be subject to arrest or other adverse consequences if their DL remains in a suspended status.

We Recommended Management:

- A. Perform a reconciliation or implement an alternate review process to ensure the D6 clearance event code and corresponding CCIS transaction ID number are input into Odyssey.
- B. Add an additional step to the "D6 CLEARANCE CHECKLIST - TRAFFIC CASES" checklist to require all designated staff to input the "RFPD" event code and corresponding CCIS transaction ID number for DL reinstatements.

Status:

- A. **Partially Implemented.** We performed a sample of D6 clearances to validate the event code and CCIS transaction ID number were input into Odyssey. The sample resulted in 2 of 10 CCIS transaction ID numbers were not entered in the Odyssey docket. The event code was created for all records in the sample. The current process entails that a supervisor or designated employee periodically reviews FRS transactions. However, without a consistent review of all D6 clearances, the risk remains that without the D6 clearance event code and CCIS transaction ID number (confirmation number) being input in Odyssey, there is no assurance that the D6 clearance was performed in the CCIS. Citizens could be subject to arrest or other adverse consequences if their DLs remain in a suspended status. We continue to encourage management to perform a reconciliation or implement an alternate consistent review process to ensure all D6 clearance event codes and corresponding CCIS transaction ID numbers are input into Odyssey.
- B. **Not Implemented.** We reviewed additional information provided by management. Included in the additional information was an example of the D6 Clearance Checklist. We noted the checklist does contain language to verify the DL was reinstated. However, the checklist does not include language that requires staff to input the "RFPD" event code and corresponding CCIS transaction ID number for DL reinstatements. We commend management for implementing a review process for D6 clearances and requirement for

each FRS to add D6 clearance documentation to the Odyssey documents tab. However, without consistent procedures to enter each D6 clearance, there is no assurance the reinstatement was performed in the CCIS. Citizens may be subject to arrest or other adverse consequences if their DLs remain in a suspended status. The "Receipt Journal by Fund and Fee Code" report does provide the fees collected, including the reinstatement fee. However, this does not ensure the applicable docket was created and the CCIS transaction ID number was added to Odyssey by the FRS. We continue to encourage management to add an additional step to the "D6 CLEARANCE CHECKLIST - TRAFFIC CASES" checklist to require all designated staff to input the "RFPD" event code and corresponding CCIS transaction ID number for DL reinstatements.

6. Numerous Driver License Numbers Did Not Match Between Odyssey And CCIS.

Our review of sample records, for the period of October 2017 through June 2018, indicated there were numerous DL numbers that did not match between Odyssey and the CCIS. Traffic citations (infractions) are transmitted electronically from the municipalities with the exception of the City of Largo. The City of Largo hard copy traffic citations are received interoffice by the Traffic Section and scanned to the indexing program by staff. Criminal related citations are sent interoffice from the Pinellas County Sheriff's Office and input manually by the Traffic Section staff.

Staff work from a queue in the indexing program on a daily basis. Staff review the citations in the indexing program, which includes reviewing the DL number for discrepancies. During the indexing process, management stated it is a red flag when the DL number on the citation does not begin with the letter of the citizen's last name. Sometimes, the DL number written on the citation is the vehicle owner's DL number and not the actual driver. In those instances, the citation is returned to the municipality with a letter requesting the correct DL number.

The citations in the indexing program are reviewed by the Traffic Section staff and uploaded separately to Odyssey. Each citation's required data elements are reviewed in Odyssey by Traffic Section staff to ensure the citation was uploaded correctly. After the citations are entered into Odyssey, the citations are transmitted by the TCATS to the CCIS and the DHSMV system each night. Management stated Clerk's staff do not change the DL number in Odyssey subsequent to transmission.

The table below displays the number of instances we found when the Odyssey DL number did not match the DL number in the CCIS:

Sample Month	Driver License Mismatches	Sample Population*	% of Sample Population
October 2017	60	2,911	2.06%
November 2017	65	2,622	2.48%
December 2017	42	2,427	1.73%
January 2018	73	2,872	2.54%
February 2018	85	3,278	2.59%
March 2018	90	3,301	2.73%
April 2018	63	2,692	2.34%
May 2018	56	2,812	1.99%
June 2018	47	2,699	1.74%
Total	581	25,614	2.27%

*Total number of D6 clearance transactions completed in CCIS for Pinellas County cases.

Management stated that DL numbers may not match due to several reasons, such as:

- Red light camera tickets - Often, cars are leased and the owner cannot be traced.
- The driver stopped for a violation is driving a family or friend's personally owned vehicle and does not have a valid DL or does not have one in their possession. In these circumstances, the law enforcement agency will enter the vehicle owner's DL number on the citation.
- Sometimes there are two or more citizens with the same name and same birth year. An additional digit is added to the DL number by the DHSMV to distinguish the citizens; however, sometimes the citations do not reflect this additional digit and the incorrect DL number may be uploaded into Odyssey.
- A citizen may acquire a different type (class) of DL subsequent to the issuance of the citation, which will change digits in the DL number.
- A citizen may get married subsequent to the issuance of the citation, which will change the first letter of the citizen's DL number.

The DHSMV will sometimes merge a citizen's prior DL number with the newly issued DL number subsequent to the citizen's citation issuance. The newly issued DL number may be reflected in the CCIS at the time the D6 clearance is performed and, therefore, will not match the previous DL number in Odyssey.

Some of the DL numbers mismatches in our sample may have been attributed to the reasons noted above. To further investigate why some of the discrepancies existed, we selected 10 cases from our sample with DL numbers that were mismatched between Odyssey and the CCIS. Management reviewed the cases and provided us with responses. The sample results indicated that 40% were due to incorrect DL numbers input in Odyssey by Clerk's staff during the processing of citations.

There are three types of validation points for data transmitted to the DHSMV:

1. Local edit procedures completed by the Clerk's Traffic Section
2. TCATS edits (formatting/load errors and validation errors are electronically reported back to Pinellas County for each transmission to TCATS)
3. DHSMV edits (errors are electronically reported back to Pinellas County through TCATS for all data received at the DHSMV)

We could not determine the root cause(s) of the numerous mismatched DL numbers. However, a review of sample records indicated at least some of the discrepancies were related to Odyssey input errors and, potentially, the validation process through TCATS to the DHSMV.

Incorrect DL numbers for traffic citations transmitted to the CCIS and the DHSMV can contribute to inaccurate DL records and subsequent errors in case processing.

We Recommended Management:

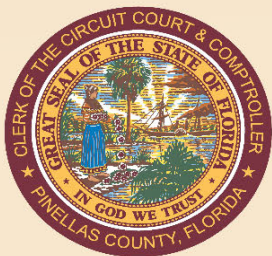
- A. Review internal validation processes to ensure DL information errors are detected.
- B. Review the Traffic Section validation edits process to ensure all edits are completed accurately.
- C. Collaborate with Civitek and the DHSMV to determine why some DL number errors were not included in the validation process.

Status:

- A. **Partially Implemented.** Management stated the FRSs are checking the DL number as part of their D6 clearance review. The FRSs are required to add the CCIS D6 clearance documentation to the Odyssey documents tab, and part of that process is reviewing the DL number. The supervisor or designated employee is periodically reviewing the D6 process. However, there is no consistent review to determine if the correct DL number was cleared or if the correct DL was uploaded to Odyssey. The risk remains that incorrect DL numbers for traffic citations transmitted to the CCIS and the DHSMV could contribute to inaccurate DL records and subsequent errors in case processing. We commend management for implementation of a review process. However, we continue to encourage management to review internal validation processes.
- B. **Partially Implemented.** Management confirmed in its follow-up response it has collaborated with Clerk's Technology to automate and enhance the Traffic Section validation edits process. The item is pending. The risk remains that incorrect DL numbers for traffic citations transmitted to the CCIS and the DHSMV could contribute to inaccurate DL records and subsequent errors in case processing. We continue to encourage management to review internal validation processes to ensure DL information errors are

detected and encourage continued collaboration with Clerk's Technology for enhancements to ensure all Traffic Section edits are completed accurately.

- C. **Partially Implemented.** Management confirmed in its follow-up response it has contacted Clerk's Technology for review and assistance in determining why some DL number errors were not included in the validation process. Management stated the item is still pending. We commend management for contacting Clerk's Technology to assist with implementation of our recommendation. The risk remains that incorrect DL numbers for traffic citations transmitted to the CCIS and the DHSMV could contribute to inaccurate DL records and subsequent errors in case processing. We encourage management to continue its collaboration efforts with Clerk's Technology, as well as collaborate with Civitek and the DHSMV, to determine why some DL number errors were not included in the validation process.



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